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FILED
 Clerk
 District Court

JAN - 4 2006

For The Northern Mariana Islands
 By _____
 (Deputy Clerk)

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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
 FOR THE NORTHERN MARIANA ISLANDS**

**EQUAL EMPLOYMENT
 OPPORTUNITY COMMISSION,**

Plaintiff,

v.

**KUMANOMI ISLAND COMPANY,
 LTD.,**

Defendant.

Civil Action No. 05-0029

**PLAINTIFF EEOC'S INITIAL
 DISCLOSURES and CERTIFICATE
 OF SERVICE**

PLAINTIFF EEOC'S INITIAL DISCLOSURES

Plaintiff, the Equal Employment Opportunity Commission (the "Commission" or "EEOC"), submits the following initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1).

GENERAL OBJECTIONS

1. Plaintiff objects to producing any documents or other disclosures which are privileged from disclosure by the attorney-client privilege and/or by the doctrine of attorney work product. Included within the scope of this objection are communications between the Commission's attorneys and the Commission's investigators regarding the processing of the charge during investigation and conciliation, and communications between the Legal Unit of the San Francisco District Office and the Commission's Washington, D.C. office. Such documents will not be produced.

2. The Commission objects to producing any documents or other disclosures prepared by the Commission's attorneys or their agents, or of statements taken by its attorneys or their agents that are not contained in its administrative files No. 378-2003-00046 on the ground that they constitute attorney work product or material prepared in anticipation of litigation or for trial, within the meaning of Federal Rule of Civil Procedure 26(b)(3). See, e.g., First

Wisconsin Mortgage Trust v. First Wisconsin Corp., 86 F.R.D. 160, 165 (E.D. Wis. 1980). Such documents will not be produced.

3. Plaintiff objects to producing documents or disclosures prepared by the Commission's employees which reflect the Commission's deliberative processes, evaluations, opinions, advice, conclusions, recommendations, proposed strategies, conciliation posture, legal theories and analyses of issues by Commission staff. See, e.g., EEOC v. Knights, Inc., 112 F.R.D. 371, 376 (E.D. Ark. 1986); Branch v. Phillips Petroleum Co., 638 F.2d 873, 881 (5th Cir. 1981); Coastal States Gas Corp. v. Dept. of Energy, 617 F.2d 854, 866 (D.C. Cir. 1980). Such documents will not be produced.

4. The Commission will not produce documents or disclosures reflecting the conciliation process which may not be disclosed pursuant to Section 706(b) of Title VII, 42 U.S.C. Section 2000e-5(b) unless all parties waive any claims of confidentiality they might have.

DISCLOSURE REQUIREMENT (A)

The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

RESPONSE TO DISCLOSURE REQUIREMENT (A):

The following individuals with known address and telephone number that likely have discoverable information that the EEOC as disclosing party may use to support its claims, which may include but is not necessarily limited to the following subject matter(s):

NAME	ADDRESS/PHONE	SUBJECT MATTER
Emily Barcelo	c/o Wilfredo Tungol EEOC-Honolulu 300 Ala Moana Blvd. Room 7-127 Honolulu, HI 96850-0051	termination of employment; discrimination on the basis of pregnancy; damages
Maridel Herrera	c/o Wilfredo Tungol EEOC-Honolulu 300 Ala Moana Blvd. Room 7-127 Honolulu, HI 94850-0051	witness to the discriminatory conduct
Crisanta Blas	c/o Kumanomi Island, Ltd. PMB 732 P.O. Box 10000 Saipan, MP 96950	witness to the discriminatory conduct
Robert Barcelo	c/o Wilfredo Tungol EEOC-Honolulu 300 Ala Moana Blvd. Room 7-127 Honolulu, HI 94850-0051	witness to Charging Party's damages

Mayumi Nakadai (President)	c/o Michael Dotts, Esq.	notice of complaint by Emily Barcelo; investigation of complaint
Nancy Garcia	unknown	work transfer of Charging Party
Evelyn Euico (supervisor)	c/o Kumanomi Island, Ltd. PMB 732 P.O. Box 10000 Saipan, MP 96950	work performance of Charging Party
Tomomi Nakano (supervisor)	c/o Kumanomi Island, Ltd. PMB 732 P.O. Box 10000 Saipan, MP 96950	work performance of Charging Party; pregnancy policy

Discovery into this matter is continuing. The individuals listed above may not constitute a complete listing of all names responsive to the disclosure requirement. Individuals named in the documents disclosed with this disclosure may also have such information.

DISCLOSURE REQUIREMENT (B)

A copy of or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

RESPONSE TO DISCLOSURE REQUIREMENT (B)

The Commission is producing and has enclosed all documents in its

possession which are contained in its administrative file pertaining to Charge No. 378-2003-00046 which is Bates-numbered 0001- 0407, except for documents which are withheld as privileged pursuant to the general objections above. Documents which are withheld as privileged will be listed on a separate privilege log and provided to defendant's counsel.

DISCLOSURE REQUIREMENT (C)

A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

RESPONSE TO DISCLOSURE REQUIREMENT (C)

The EEOC will be seeking appropriate injunctive relief, compensatory and punitive damages, and other affirmative relief necessary to eradicate the effects of Defendant's discriminatory employment practices at issue in the present case. The maximum amount of compensatory and punitive damages recoverable in this case is governed by the Civil Rights Act of 1991. At this early stage of the litigation, it is premature to assess the amount of damages for emotional distress, pain and suffering or the amount of punitive damages. We have not gathered sufficient

information regarding back pay and mitigation to allow their calculation.

DISCLOSURE REQUIREMENT (D)

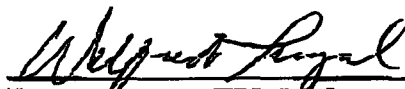
For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment, including bonding requirement for non-resident alien workers pursuant to labor and immigration laws of the Commonwealth of the Northern Marianas.

RESPONSE TO DISCLOSURE REQUIREMENT (D)

The EEOC is not in the possession of or otherwise aware of any pertinent insurance agreements.

The above disclosure is complete and correct as to the time it was made and was, to the best of my knowledge, information, and belief, formed after an inquiry that was reasonable under the circumstances.

DATED: Honolulu, Hawaii, December 30, 2005.




WILFREDO TUNGOL
Trial Attorney
Attorney for Plaintiff EEOC

PLAINTIFF EEOC'S CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the date stated below a true and correct copies of Plaintiff EEOC's Initial Disclosures was mailed by U.S. first class mail, postage prepaid to the following:

Michael W. Dotts, Esq.
Law Offices of O'Connor, Berman, Dotts and Hanes
P.O. Box 501969
Saipan, MP 96950

DATED: Honolulu, Hawaii, December 30, 2005.


WILFREDO TUNGOL
Attorney for Plaintiff EEOC